



City of Hampton, VA
Notice of Action
City Council – Regular Meeting

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

***Randall A. Gilliland, Angela Lee Leary, Charles N. Sapp, Joseph H. Spencer, II,
Turner M. Spencer, Rhet Tignor, Ross A. Kearney, II, Mayor***

Staff:

***Jesse T. Wallace, Jr., Interim City Manager
A. Paul Burton, City Attorney
Katherine K. Glass, Clerk of Council***

**Phoebus High School Jazz Band – 7:00 p.m. – 7:15 p.m. – Council Chambers
Regular Meeting – 7:30 p.m. – April 27, 2005**

CALL TO ORDER/ROLL CALL

INVOCATION – Councilman Randall A. Gilliland

PLEDGE OF ALLEGIANCE TO FLAG

**(Colors were presented by the Police Division Honor Guard, accompanied by
Color Guards from Bethel, Hampton, Kecoughtan and Phoebus High Schools)**

CONSENT AGENDA

1. 05-0248 Minutes for the three (3) budget retreat meetings of March 2, March 15, and April 6, 2005; and minutes for the special and regular meetings held April 13, 2005.

Consent Items – First Reading

2. 05-0230 Resolution approving FY05 Third Quarter Budget Adjustments.

Consent Items – Other

3. 05-0228 Request for refunds of erroneous tax assessments.
4. 05-0231 Resolution authorizing the Interim City Manager or his designee to proceed with purchase transaction for acquisition of property known as 41 Barrack Street, from Terry G. Mason, Sr., and Walter B. Wilson, Jr.
5. 05-0232 Resolution authorizing City Staff to proceed with condemnation action to acquire the necessary right-of-way for the extension of Commander Shepard Boulevard on property owned by Murray B. Howell, Edwin A. Joseph, Edwin C. Tison and Nancy C. Tison, his wife.
6. 05-0233 Resolution approving the City of Hampton, Virginia's Participation and Appropriation of Funds for the 2005 Summer Food Service Program for Children Received from the U. S. Department of Agriculture.
7. 05-0234 Agreement for 2005 Langley Air Force Base Aerial Spray Operation for Mosquito Control and Authorization for the Interim City Manager and the Clerk of Council to sign the Agreement.
8. 05-0247 Addendum to Lease between Cousteau Society and the City.

ACTION: Items 1 through 8 **APPROVED.**

PRESENTATIONS, PROCLAMATIONS, AWARDS

9. 05-0136 Presentation of 5-Year Awards to the four countries that have been a part of the International Children's Festival since its inception: Ireland, Greece, Mexico and Italy and their sponsors: Hampton Coalition for Youth, Hampton Citizen's Unity Commission and WHRO-TV.

ACTION: Councilman Turner Spencer and Councilman Tignor presented the 5-Year Awards to representatives from Greece, Italy, and Mexico.

10. 05-0227 Proclamation proclaiming May 1 – June 14, 2005, as National Military Appreciation Month in the City of Hampton.

ACTION: Councilman Sapp read and presented the proclamations to Col. Frank Gorenc, Commander, 1st Fighter Wing, Langley Air Force Base and Col. Perry Allmendinger, Commanding Officer, HQ, Fort Monroe.

11. 05-0264 Proclamation proclaiming May 21, 2005 as The Remote and Waiting Military Spouses Day.

ACTION: Councilwoman Leary read and presented the proclamation to Mrs. Peggy Mertz, President of the Remote and Waiting Military Spouses of the Peninsula.

12. 05-0225 Proclamation proclaiming May 2 – 8, 2005, as Public Service Recognition Week in the City of Hampton.

ACTION: Vice Mayor Joseph Spencer read and presented the proclamation to Pam Graham, Project Coordinator, City Manager's Office.

13. 05-0226 Proclamation recognizing employee Patrick Ray, Drainage Maintenance Supervisor, Public Works Department, during Public Service Recognition Week.

ACTION: Councilman Tignor read and presented the proclamation to Patrick Ray, from the Public Works Department.

14. 05-0223 Proclamation proclaiming May 15-21, 2005, as Police Memorial Week in the City of Hampton.

ACTION: Councilman Gilliland read and presented the proclamation to Maj. R. V. Davis, Commander, Administrative Branch, Police Division.

15. 05-0250 Proclamation proclaiming May, 2005 as Neighborhood Month in the City of Hampton, Virginia and recognition of Essay Contest Winner.

ACTION: Vice Mayor Joseph Spencer read and presented the proclamation to Jack Hall, Neighborhood Commissioner. Sabrina Jones announced Kelsey Callahan as the winner of the Neighborhood Month Essay Contest. Miss Callahan read her award winning essay.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

16. 05-0249 Request to State Delegates and Senators proposing Virginia Code amendments with respect to the carrying of firearms.

ACTION: APPROVED authorization for the City Attorney to forward subject letters.

PUBLIC HEARINGS

Rezoning – Second Reading

17. 05-0251 Rezoning Application No. 1199 by Michael H. Nuckols to amend proffers of Rezoning Case #1052 for 9± acres at 5 Libby Street and 108 Carnegie Street. The property is zoned Limited Commercial District (C-2) with conditions and allows hotel, office and retail uses. The 2010 Comprehensive Plan recommends public/semipublic uses for this area.

ACTION: APPROVED as amended on second and final reading subject to eleven (11) conditions.

18. 05-0252 Rezoning Application No. 1200 by K. Scott Roberts to amend proffers of Rezoning Case #1188 for 0.46± acre at 1810 E. Pembroke Avenue, zoned Neighborhood Commercial District (C-1). The Buckroe Neighborhood Plan, an addendum to the 2010 Comprehensive Plan, recommends residential transition uses for this general area. C-1 zoning allows a mix of retail sales of convenience goods, personal services, multi-family, and offices.

ACTION: APPROVED on second and final reading subject to five (5) conditions.

19. 05-0254 Rezoning Application No. 1201 by Old Point National Bank to amend the proffers of Rezoning Case No. 1078 to permit a drive-up automated teller machine (ATM) on a 0.27± acre parcel at 357 Woodland Road that is zoned Neighborhood Commercial District (C-1). The 2010 Comprehensive Plan recommends commercial mixed use in this area. C-1 zoning allows for a mix of retail sales of convenience goods, personal services, multi-family housing, and offices.

ACTION: APPROVED on second and final reading subject to seven (7) conditions.

Ordinances – First Reading

20. 05-0255 Ordinance to amend and re-enact Section 2-290, Article XII of the Code of Virginia to create a Federal Area Development Authority.

ACTION: APPROVED on first reading.

21. 05-0257 Ordinance to amend and re-enact Article 1, Chapter 14, of the Code of the City of Hampton, Virginia, entitled, "Fire Prevention and Protection," Section 14-10, "Service Fees for Emergency Ambulance Transport" to increase service fees, impose ground transportation mileage fee, and provide for waiver of insurance co-payments.

ACTION: APPROVED on first reading.

Other

22. 05-0256 Appeal of Denial of Taxicab Driver Permit.

ACTION: Denial upheld.

GENERAL ITEMS

Resolutions

23. 05-0198 Resolution Authorizing the Conveyance of Property in Buckroe by the City of Hampton to the Hampton Redevelopment and Housing Authority.

ACTION: APPROVED.

24. 05-0258 Resolution approving the terms of an amended office lease between the Industrial Development Authority of the City of Hampton ("IDA") and RPG Hampton I, LLC, an amended sublease between the IDA and the National Institute of Aerospace Associates, and an amended cooperation agreement between the IDA and the City of Hampton pertaining to the amended office lease and amended sublease, and authorizing the execution of the amended cooperation agreement.

ACTION: APPROVED.

Appointment

25. 05-0259 Hampton Clean City Commission

ACTION: APPOINTED Mr. Don Bartlett to fill an unexpired term, said term to expire January 9, 2008.

FY 2006 BUDGET HEARINGS

26. 05-0260 Public hearing to obtain the views of citizens and review the 2005-2010 Consolidated Plan for Housing and Community Development, which includes the fiscal year 2005-2006 Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) program budgets and a Neighborhood Revitalization Strategy Area Plan for the Olde Hampton Neighborhood.

ACTION: No action taken, public hearing only.

27. 05-0261 Public hearing to receive citizens' comments relative to the Fiscal Year 2006 General Fund, Capital, Solid Waste Management, Stormwater Management, Wastewater Management, E-911, EXCEL, The Hampton's, Economic Development and Hampton Roads Convention Center budgets.

ACTION: No action taken, public hearing only.

28. 05-0262 Public hearing to receive citizens' comments relative to a proposed decrease in the Real Estate Property Tax from \$1.25 per \$100 assessed value to \$1.23 per \$100 assessed value in fiscal year 2006.

ACTION: No action taken, public hearing only.

29. 05-0263 Public hearing to receive citizens' comments relative to the increase/decrease in the Hamptons and Woodlands Golf Course Green Fees, Cart Fees, and Club Rentals.

ACTION: No action taken, public hearing only.

AUDIENCES GRANTED TO THE GENERAL PUBLIC

30. Carmen Taylor, 19 Janet Drive, spoke on the need for unity in the City of Hampton.
31. Candace A. Jackson, 2106 West Avenue, #203, Newport News spoke on unity and embracing differences.
32. Frank J. Ottafaro, 63 Wheatland Drive, spoke on 11 Pine Chapel Road property.
33. The following people spoke in opposition to the Bayfront initiative: Sandra Canepa, 3 Markham Drive; Phyllis Flanders, 13 Ranalet Drive; Trish Ferraro, 602 Tappan Avenue and Cecile Trevathan, 311 Richmond Avenue.

MISCELLANEOUS NEW BUSINESS

34. Councilman Turner Spencer requested that Councilman Tignor repeat his presentation on "the State's fair share" at the next Council meeting on May 4 and add slides regarding who controls revenue sources.

ADJOURNMENT

Contact Info: Clerk of Council, 757-727-6315; council@hampton.gov